

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

In re: ) Chapter 11  
 )  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
 )  
Debtor. )

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**PROPOSED AGENDA FOR TELEPHONIC OMNIBUS HEARING ON  
FEBRUARY 6, 2013 AT 10:00 A.M. EST**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this proposed agenda for the telephonic hearing scheduled for February 6, 2013 at 10:00 a.m. EST ("Hearing").

**DIAL IN INFORMATION** The dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key.

**A. EASTERN LIVESTOCK CO., LLC ("ELC") MAIN CASE MATTERS**

1. No matters scheduled for hearing in the ELC main case.

**B. ELC ADVERSARY PROCEEDINGS MATTERS**

1. *Texas Interpleader* (Adv. Proc. 11-59093)
  - i. Status report on Nichols settlement negotiations
  - ii. Del Cotto Group Parties' Motion for Determination as to Confidentiality of Documents Produced to Data Room or, Alternatively, to File Documents Under Seal as Required by Discovery Protocol and Confidentiality Agreement (Docket #376); Response (Docket #429)

*STATUS:* Subject to continuing negotiations.

2. *Atkinson Livestock* (James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC v. Atkinson Livestock Market, LLC, Adv. Proc. 11-59094)
  - i. Pretrial conference

*STATUS*: Trustee has filed additional claims against Atkinson Livestock in a separate adversary proceeding (*Trustee v. Tammy T. Gibson, et al.* (Adv. Proc. 12-59158). Additional discovery is needed with respect to claims against Atkinson Livestock.

3. ***Fredin Brothers (Colorado Interpleader)***, (Fredin Brothers, Inc. v. Bankers Bank, et al., Adv. Proc. 11-59108)

- i. Pretrial conference

*STATUS*: Subject to continuing negotiations.

4. ***Allen Barry*** (James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC v. Allen Barry, Adv. Proc. 12-59012)

- i. Initial Pretrial conference

*STATUS*: Service of process completed. Mr. Barry remains unable to obtain Indiana bankruptcy counsel. Trustee is prepared to request default judgment.

#### **C. MATTERS IN RELATED CASES**

1. ***In re East-West Trucking***, Case No. 10-93799
  - i. No matters scheduled.
2. ***In re Thomas and Patsy Gibson***, Case No. 10-93867
  - i. No matters scheduled.

#### **D. MATTERS UNDER ADVISEMENT**

1. **Trustee's Motions for Partial Summary Judgment on Statutory Trust and Clearing Agency Issues** – Supplemental Responses (filed August 15, 2012); Trustee's Supplemental Replies (filed November 15, 2012) [*Texas Interpleader*] [*Downs Adversary Proceeding*]
2. **Motion To Dismiss Complaint Of Defendants' James Edens IV And E4 Cattle Company** (In re James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC vs James Edward Edens, IV and E4 Cattle Company, Adv. Proc. 12-59036) [*Edens Adversary Proceeding*]

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/ Terry E. Hall

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### **CERTIFICATE OF SERVICE**

I hereby certify that on February 5 2013, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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